

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. 03-CV-12497

PREMIER CAPITAL, LLC)
Plaintiff,)
)
v.)
)
BEVERLY JOHNSON PENZELL,)
d/b/a Law Office of Kris E. Penzell)
and BEVERLY JOHNSON)
PENZELL, as Personal)
Representative of the Estate of)
Kris E. Penzell)
Defendants.)

**MOTION FOR LEAVE TO FILE
REPLY MEMORANDUM IN SUPPORT OF DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Local Rule 7.1(B)(3), Defendant Beverly Johnson Penzell (Ms. Penzell") hereby requests leave to file a Reply Memorandum in Support of Ms. Penzell's Motion for Summary Judgment.

On November 14, 2007, Premier filed an Opposition to Ms. Penzell's Motion for Summary Judgment. Ms. Penzell states that the proposed reply is necessary to address erroneous factual and legal arguments raised in Premier's Opposition as well procedural deficiencies with Premier's submission. Ms. Penzell submits that the proposed reply will aid the Court in its consideration and determination of the pending motion for summary judgment and will serve the interests of judicial economy and efficiency. Ms. Penzell seeks to file her Reply on or before November 30, 2007.

Local Rule 7.1(A)(2) Certification

Undersigned counsel certifies that he has contacted opposing counsel in an effort to request Premier's assent to this motion and Premier assents to this Motion for Leave to File Reply Memorandum in Support of Defendant's Motion For Summary Judgment.

WHEREFORE, Ms. Penzell respectfully requests that this Court grant her leave to file a Reply Memorandum in Support of her Motion for Summary Judgment.

Respectfully submitted,

BEVERLY JOHNSON PENZELL,
By her attorneys,

/s/ Joseph W. Corrigan
Catherine J. Savoie, BBO#544599
Joseph Corrigan, BBO#647393
POSTERNAK, BLANKSTEIN & LUND, L.L.P.
Prudential Tower
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Boston, MA 02199-8004
617.973.6100

Dated: November 21, 2007

CERTIFICATE OF SERVICE

I, Joseph W. Corrigan, Esq. hereby certify that the above document was filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 21, 2007.

/s/Joseph Corrigan

Joseph W. Corrigan